



**CITY OF VAUGHAN  
SPECIAL COMMITTEE OF THE WHOLE  
AGENDA**

Wednesday, April 8, 2020  
2:00 p.m.  
Council Chamber  
2nd Floor, Vaughan City Hall  
2141 Major Mackenzie Drive  
Vaughan, Ontario

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**Pages**

This is an Electronic Meeting. The Council Chamber will not be open to the public. Public comments can be submitted by email to [clerks@vaughan.ca](mailto:clerks@vaughan.ca)

1. **CONFIRMATION OF AGENDA**
2. **DISCLOSURE OF INTEREST**
3. **COMMUNICATIONS**
4. **DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION INCLUDING MEMBERS RESOLUTION(S)**
  1. IMPLEMENTATION OF EMERGENCY MEASURES TO EFFECTIVELY MANAGE THE COVID-19 PANDEMIC 3  
Report of the Acting City Manager with respect to the above.
  2. TEMPORARY RENT RELIEF FOR NOT-FOR-PROFIT CITY TENANTS 27  
Report of the Deputy City Manager, Infrastructure Development and the Deputy City Manager, Corporate Services and Chief Financial Officer with respect to the above.
  3. ELECTRONIC MEETINGS FOR STATUTORY AND AD HOC COMMITTEES 31  
Report of the Deputy City Manager, Administrative Services and City Solicitor with respect to the above.
5. **ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION**

6. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION
7. CONSIDERATION OF STATUTORY/AD HOC COMMITTEE REPORTS
8. NEW BUSINESS
9. ADJOURNMENT

ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE  
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AND VIDEO BROADCAST

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## Special Committee of the Whole Report

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**DATE:** Wednesday, April 08, 2020

**WARD(S):** ALL

**TITLE: IMPLEMENTATION OF EMERGENCY MEASURES TO  
EFFECTIVELY MANAGE THE COVID-19 PANDEMIC**

**FROM:**

Mary Reali, Acting City Manager

**ACTION:** DECISION

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**Purpose**

To receive approval to enact a temporary emergency measures by-law providing extended authorities to both the Head of Council and City Officials to effectively and expeditiously combat issues relating to the spread of COVID-19.

**Report Highlights**

- On March 17, 2020 both the Province and the City declared a state of emergency related to the COVID-19 pandemic. Since then the spread of the COVID-19 virus has quickly accelerated, prompting all levels of government to respond by introducing a series of emergency measures intended to combat the spread of COVID-19.
- Staff are recommending that an Emergency Measures By-law be passed. This By-law is intended to grant delegated authority to staff and the head of Council to ensure that strong and timely measures may be implemented as necessary to address the changing nature of the emergency. Such grant of delegated authority will be subject to the restrictions under the *Municipal Act*.
- The proposed by-law also establishes a mechanism for the Head of Council to report to Council when additional powers are exercised.
- The proposed by-law is intended to provide a temporary delegation of authorities to ensure the City can respond quickly and decisively to any developing situation. The by-law shall be repealed upon the emergency itself being terminated, or shortly thereafter.

## **Recommendations**

1. THAT the COVID Emergency Measures By-law, as provided in Attachment 1 be enacted.
2. THAT Staff be authorized to take any other actions necessary to implement the proposed by-law.

## **Background**

On March 11, 2020, the World Health Organization assessed the Novel Coronavirus 19 (“COVID-19”) as a pandemic. The first case in Canada was confirmed on February 20; however, the first presumptive case in Ontario was identified on January 25, 2020. On March 17 both the Province and the City declared an emergency to help contain and combat the spread of COVID-19 in order to protect the public. As of April 8, 2020, there are an estimated 18,000 confirmed cases in Canada.

Over the last two weeks, the Province of Ontario has issued a number of emergency orders under section 7.0.1 of the *Emergency Management and Civil Protection Act* (“*EMCPA*”), including orders to limit certain gatherings of people, require the temporary closure of non-essential businesses and prohibition on accelerated and extreme pricing (“price gouging”) of essential products and necessary goods. At the same time, public health units and public health officials have been promoting the concept of social distancing as an additional measure to mitigate the spread of the disease, while attempting to implement various precautionary measures and best practices for essential business establishments that continue to operate. Despite the measures so far in place there is currently limited evidence of a “flattening of the curve” and limiting the spread of the virus, therefore requiring the City to take unprecedented measures and impose the necessary steps in the interest of the health, safety and wellbeing of the public.

Thus, as the COVID-19 emergency continues at this critical stage, it is more important than ever before for staff to be able to respond quickly and decisively to the evolving situation. To this end staff are proposing a comprehensive temporary emergency measures by-law to provide delegated authority to staff and the to the head of council in accordance with, and pursuant to, the legislative limitations prescribed by the *Municipal Act* and the *EMCPA*.

In preparation of this report, staff from By-law & Compliance, Licensing & Permit Services consulted with the Office of the City Solicitor and the Emergency Management Team, led by Fire Chief.

## **Previous Reports/Authority**

Mayor Maurizio Bevilacqua – Declaration of Emergency Management and Civil Protection Act, R.S.O. 1990, c E.9 s.4.(l) – March 17, 2020

## **Analysis and Options**

Under the *EMCPA*, the Head of Council has authority to declare an emergency and may take such action and make such orders as he or she considers necessary to implement the emergency plan and to protect property and the health, safety and welfare of persons in the municipality. While the *EMCPA* contains provisions which confirm that failing to comply with Provincial orders is an offence, it does not provide the same penalties for failing to comply with an order issued by the Head of Council. As such, to provide fuller force and effect to orders made, and to address gap in the legislation, staff are proposing that the City pass a comprehensive emergency measures by-law under the *EMCPA* and the *Municipal Act*. The *Municipal Act* provides broad powers for a municipality to pass by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the protection of persons and property.

In addition to the extended enforcement powers, the proposed COVID-19 Emergency Measures By-Law sets out the following delegated authorities:

### **City Manager**

- Authority to determine essential City services;
- Cancel, reduce or defer any fees, charges or other amounts owed to the City by Persons or businesses, subject to section 106 of the Municipal Act

### **Director and Chief Licensing Officer**

- Enforce Social distancing (i.e. require individuals who are not of the same household to maintain a distance of no less than 2.0m);
- Protect tenants from discontinuance of a vital service by a landlord (e.g. gas, hydro, fuels, and water);
- Place conditions or requirements on any place of business in order to promote requirements/compliance under the *EMCPA* or recommendations from other City officials;
- Limit, regulate or prohibit access to any Public Property (including limiting access on activities that take place within Public Property).

## **Head of Council**

- Exercise statutory powers of Council necessary to address the COVID-19 pandemic. This authority can be exercised where:
  - The authority is necessary and essential to address the situation in a timely manner, and to prevent, reduce or mitigate serious harm to persons;
  - The exercise of authority is required to alleviate harm or damage; and
  - The actions authorized reasonably limit their intrusiveness (in terms of the effect of the order, the temporal limit, and geographic scope within the City).
- An Order made by the Head of Council under this By-law is revoked after 30 days (unless it is revoked sooner, or it is otherwise stated in the Order).
- The Head of Council is also required to prepare a report to Council outlining any Orders made, and Orders will also be posted on the City's website.

The proposed By-law makes it an offence to fail to comply with an Order made by the Head of Council or the Director. The fines and penalties under this By-law fall into two categories: traditional fines, and administrative monetary penalties. This structure grants further flexibility for enforcement personnel to either proceed and take punitive action through the court system, while other by-law infractions may be processed through an administrative penalty. Administrative monetary penalties are civil in nature and provide an effective mechanism for enforcing compliance with regulatory requirements.

By providing for delegated authority to the Head of Council and identified City officials, in accordance with and subject to the limitations prescribed by legislation, such as the *Municipal Act* and the *EMCPA*, the City is in a far greater position to respond to an ever changing environment, better promote and support the health and safety of the public, the wellbeing of persons and the economic, social and environmental wellbeing of the City for the duration of the declared emergency.

Staff believe that the proposed by-law creates a system to enable the municipality to more effectively enforce compliance, beyond the provisions and in support of the Province's emergency orders. The proposed by-law also works within the larger scheme of provisions for maintaining public health and safety that have been created at all levels of government in response to the COVID-19 pandemic. The proposed by-law provides a means to impose escalating sanctions, from administrative penalties to significant fines, in order to address immediate and specific local needs.

COVID-19 has created unprecedented circumstances that could not have been contemplated or addressed within the existing regulatory by-laws that a municipal relies upon to govern its affairs and that of its citizens. In such times, and within the prescribed legal framework established by provincial legislation, staff believe the support and enactment of the proposed Emergency Measures By-law will serve this Council, the City and its residents well.

### **Financial Impact**

There is no anticipated impact to the City's exiting budget as a result of the recommendations of this report. Any unanticipated future expenses, should any arise will be addressed through the City's approved financial processes.

### **Broader Regional Impacts/Considerations**

No broader direct regional impacts are anticipated as a result of this report; the proposed by-law applies to all lands and property under the control of the Region of York and the Toronto Regional Conservation Authority. The proposed by-law and all local measures are being established to mitigate the spread of COVID-19 and are an important contribution to the broader fight against the pandemic.

### **Conclusion**

New cases of COVID-19 continue to rise with health officials expecting caseloads to peak in April. As the weather warms up, and with the general recommendation for people to stay at home going into its fourth week, staff expect COVID-related enforcement pressures to mount. The by-law proposed through this report will provide both staff and the head of council with the required temporary authorities to more effectively and expeditiously deal with emerging issues, will serve to complement the mandates prescribed by provincial orders and establishes reasonable and necessary measures that will enhance and mitigate against the spread of this deadly virus.

**For more information**, please contact: Gus Michaels, Director & Chief Licensing Officer, By-law and Compliance, Licensing and Permit Services, and Chief Licensing Officer

**Prepared by**

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**Attachments**

1. COVID-19 Emergency Measures By-law



# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER XXX-2020**

**A By-law to regulate activities deemed to have a potentially adverse impact on the health and wellbeing of the public during the COVID-19 Emergency.**

**WHEREAS** the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (“COVID-19 pandemic”);

**WHEREAS** on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 (“EMCPA”) related to COVID-19;

**WHEREAS** section 4 of the EMCPA provides that the head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area;

**WHEREAS** on March 17, 2020 the Corporation of the City of Vaughan declared an emergency pursuant to section 4 of the EMCPA;

**WHEREAS** the Province of Ontario has issued Orders under the EMCPA to prohibit and regulate certain activities in the interest of public health, safety and wellbeing during the COVID-19 declared emergency;

**WHEREAS** on March 27, 2020 the Province of Ontario granted power to municipal law enforcement officers to enforce Orders issued by the Province under the EMCPA;

**WHEREAS** subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (“*Municipal Act*”) provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

**WHEREAS** subsection 11(1) of the *Municipal Act* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**WHEREAS** section 11(2) of the *Municipal Act* provides that a municipality may pass by-laws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; and Protection of persons and property, including consumer protection;

**WHEREAS** without limiting sections 9 and 11 of the *Municipal Act*, a local municipality may prohibit and regulate matters such as dangerous places, public nuisances and business hours and closures, as well as regulate and govern real and personal property used for by a business and the person carrying it on or engaged in it.

**WHEREAS** section 425 of the *Municipal Act* provides that any person who contravenes any by-law of the municipality is guilty of an offence;

**WHEREAS** section 429 of the *Municipal Act* provides for a municipality to establish a system of fines for offences under a by-law of the municipality passed under the Act;

**WHEREAS** sections 444 and 445 of the *Municipal Act* provide that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity or to do work to correct the contravention;

**WHEREAS** The Corporation of the City of Vaughan considers it desirable to enact regulations to support the intent and purpose of the Provincial orders made under the EMCPA in order to protect the health, safety and wellbeing of all persons within the jurisdictional boundaries of the City of Vaughan, by prohibiting or regulating certain activities of individuals and businesses during the COVID-19 Emergency;

**WHEREAS** The Corporation of the City of Vaughan considers it desirable to extend the powers to the Head of Council in order for the City to be able to respond effectively and expeditiously to the ongoing challenges posed by the COVID-19 Emergency;

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

## **1.0 Authority and Short Title**

- (1) The By-law shall be known and referenced as the “COVID-19 Emergency Measures By-law.”

## 2.0 Applicability and Scope

- (1) This By-law applies to all *Property*, including *Public Property*, within the jurisdictional boundaries of the City of Vaughan.

## 3.0 Definitions and Interpretation

- (1) In this By-law:
  - (a) “Chief Building Official” means the Chief Building Official for the *City*, or his or her designate;
  - (b) “City” means The Corporation of the City of Vaughan;
  - (c) “City Manager” means the City Manager for the *City*;
  - (d) "COVID-19 Emergency" means the period of time commencing upon the date of passing of this By-law until the declaration of emergency made by the Head of Council under sections 4 of the *EMCPA* in relation to the COVID-19 pandemic has been terminated;
  - (e) “Director” means the Director and Chief Licensing Officer, By-law and Compliance, Licensing and Permit Services for the *City*, or his or her designate;
  - (f) “Dwelling Unit” means a room or series of rooms of complementary use, used by an *Individual* or *Individuals* living together under a single tenancy, in which cooking, eating, living, sleeping and sanitary facilities are provided;
  - (g) "EMCPA" means the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9;
  - (h) “Emergency Order” means an order issued by the Province of Ontario under the *EMCPA* with respect to *COVID-19 Emergency*;
  - (i) “Enforcement Order” means an order made by an *Officer* pursuant to section 9.0.
  - (j) “Essential Item” includes:
    - (i) masks and gloves used as personal protective equipment in relation to infections;

- (ii) non-prescription medications for the treatment of the symptoms of the coronavirus (COVID-19), as those symptoms are described by Public Health Ontario;
  - (iii) disinfecting agents intended for cleaning and disinfecting objects or humans;
  - (iv) personal hygiene products, including soap products and paper products; or
  - (v) any other product determined as essential by the Province of Ontario;
- (k) “Fire Chief” means the Chief of Vaughan Fire and Rescue Services or his or her designate;
- (l) “Guardian” means a *Person* who has custody, care and control of an *Individual* who is a member of the same *Household* and includes a parent as defined in the *Family Law Act*, R.S.O. 1990, c. F.3;
- (m) “Head of Council” means the Mayor for the *City*;
- (n) “Household” means *Individuals* living together in and sharing a *Dwelling Unit*;
- (o) “Individual” means a natural person of any age;
- (p) “Interior Space” includes an interior wall, ceiling, floor and any other partition that defines the interior space;
- (q) “Landlord” includes:
- (i) the registered owner of a rental unit or other person permitting occupancy of a rental unit;
  - (ii) the heirs, assigns, personal representatives and successors in title of a person referred to in 3.0(o)(i); or
  - (iii) a person, other than a tenant occupying a rental unit in a residential complex, who is entitled to possession of the residential complex and who attempts to enforce any of the rights of a landlord under the tenancy agreement or the *Residential Tenancies Act*, 2006, S.O. 2006, c. 17, including the right to collect rent;

- (r) “Lawful Business” means a business, or *Individual* operating a business, that is in compliance with all applicable municipal by-laws and regulations as it relates to its commercial activities, including zoning and licensing by-laws;
- (s) “Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or any successor legislation;
- (t) “Officer” means a Provincial Offences Officer or Municipal Law Enforcement Officer of the *City*, or any other person appointed by or under the authority of a *City* by-law to enforce this By-law, and shall include a police officer appointed by York Regional Police, the Ontario Provincial Police, or the Royal Canadian Mounted Police;
- (u) “Order” means a direction by the *Head of Council*, *City Manager* or *Director*, including an order under the authority of sections 444 or 445 of the *Municipal Act* requiring a *Person* to cease a contravening activity or correct a contravention, but shall not include an *Emergency Order*;
- (v) “Owner” includes:
  - i) the person having the right, title, interest or equity in the land, or his or her agent authorized in writing;
  - ii) the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let;
  - iii) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property;
- (w) “Person” means a natural person who is at least 18 years of age;
- (x) “Police Chief” means the Chief of Police for York Regional Police, or his or her designate;
- (y) “Property” means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and

erections thereon whether heretofore or hereafter erected, and includes vacant property;

- (z) “Provincial Offences Act” means the *Provincial Offences Act*, R.S.O. 1990, c.P. 33, as amended, or any successor legislation;
- (aa) “Public Health Official” means any of the following: the Medical Officer of Health for the Regional Municipality of York, the Chief Medical Officer of Health for the Province of Ontario, or the Chief Public Health Officer of Canada;
- (bb) “Public Place” means a place to which the public has access, as of right or by invitation, expressed or implied;
- (cc) “Public Property” means any land, premises or buildings owned, managed, or maintained by the *City*, including highways, sidewalks, streets, any portion of a road allowance, parking lots, swimming pools, recreation centers, parks and playgrounds, and for greater certainty shall also include lands owned by the Toronto Regional Conservation Authority and any school board within the Regional Municipality of York;
- (dd) “Social Distance” means a distance of no less than 2.0 metres, or as otherwise prescribed by an *Order* made by the *Head of Council* under this By-law;
- (ee) “Tenant” Includes a person who pays rent in return for the right to occupy a rental unit and includes his or her heirs, assigns and personal representatives, but does not include a person who has the right to occupy a rental unit by virtue of being:
  - (i) co-owner of the residential complex in which the rental unit is located; or
  - (ii) a shareholder of a corporation that owns the residential complex;
- (ff) “Vital Services” means the provision of any of the following: fuel, hydro, gas, hot or cold water.

- (2) Wherever a word is used in this By-law with its first letter capitalized and the whole word italicized, the term is being used as it is defined in 3.0(1) of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.

#### **4.0 Delegated Authorities to the Head of Council**

- (1) Subject to 4.0(2), 4.0(3) and 4.0(4), any restrictions on such delegation identified in the *Municipal Act*, other legislation or at common law, the Council of the *City* delegates its statutory authority under the *Municipal Act*, and under any other legislation, to the *Head of Council*, exclusively for the period over which this By-law is in force.
- (2) The authority delegated to the *Head of Council* in 4.0(1) may only be exercised in accordance with the following criteria:
- (a) It is necessary to utilize the authority to address the situation in a timely manner.
  - (b) In the opinion of the *Head of Council*, it is reasonable to believe that the harm or damage will be alleviated by the exercise of the delegated authority and exercising the delegated authority is a reasonable alternative to other measures that might be taken to address the situation.
  - (c) The actions authorized under the delegated authority are exercised in a manner which, consistent with the objectives of the exercise of the delegated authority, reasonably limits their intrusiveness.
  - (d) The exercise of the delegated authority only applies to the areas of the *City* where it is necessary.
  - (e) The exercise of the delegated authority is effective only for as long as is reasonably necessary.
- (3) The *Head of Council*, through City's Emergency Management Team, shall advise the members of *City* Council of any exercise of authority delegated under this article within 24 hours of the date of exercise of the authority.

- (4) The delegation of authority to the *Head of Council* under 4.0(1) shall only be effective for 30 days from the first exercise of the authority in response to an emergency, unless *City Council* authorizes an extension of such delegated authority.
- (5) Within 30 days of the *Head of Council's* first exercise of the authority delegated under 4.0(1), the *Head of Council* shall prepare a report to *City Council* for submission to the next scheduled meeting of the Council providing:
- (a) the justification for having exercised the delegated authority.
  - (b) an outline of the actions taken with the delegated authority.
  - (c) any recommendations arising from the emergency.
- (6) To the extent of a conflict between this Part and any other by-law of the *City* or the delegation of authority by *City Council* to any person or body, or to the extent of a conflict between the exercise of the authority delegated under this Part and the exercise of any other authority delegated by *City Council*, this Part and the exercise of authority delegated under this Part prevail, despite the fact that any other delegated authority provides that it prevails in the event of conflict.
- (7) The *Head of Council* may make *Orders* that the *Head of Council* believes are necessary and essential in the circumstances to prevent, reduce or mitigate serious harm to persons, if in the opinion of the *Head of Council* it is reasonable to believe that:
- (a) the harm will be alleviated by an *Order*;
  - (b) making an *Order* is a reasonable alternative to other measures that might be taken to address the emergency.
- (8) *Orders* made by the *Head of Council* under this By-Law:
- (a) shall only apply to the areas of the *City* where it is necessary;
  - (b) shall be effective for as long as is necessary, subject to 4.0(9), but in no event shall be extended beyond the termination of the *COVID-19 Emergency*.



- (9) An *Order* made under 4.0(7) is revoked 30 days after it is made, unless:
- (a) it is revoked sooner or;
  - (b) it is otherwise stated in the *Order*.
- (10) Despite the termination of a *COVID-19 Emergency*, the *Head of Council* may by *Order* extend the effective period of an *Order* made under section 4.0(8) for periods of no more than 30 days where the extension of the *Order* is necessary to deal with the effects of the emergency and further the purposes of this By-law.
- (11) In accordance with 4.0(1) and subject to the limitations in 4.0(8), the *Head of Council* may issue *Orders* on any matter within the jurisdiction of the municipality, including but not limited to:
- (a) implementing any emergency plans formulated under subsection 3 of the *EMCPA*;
  - (b) establishing facilities for the care, welfare, safety and shelter of individuals, including emergency shelters and authorizing facilities under the control of the *City* to operate as is necessary to respond to or alleviate the effects of the *COVID-19 Emergency*;
  - (c) closing and preventing access to any *Public Property*;
  - (d) designating any *Public Property* or part thereof as a place in which any activity is prohibited or restricted;
  - (e) constructing, repairing, removing, demolishing or disposing of any works or undertaking any actions to prevent, respond to or alleviate the effects of the *COVID-19 Emergency*;
  - (f) making *Orders* to specifically regulate or prohibit actions to eliminate or mitigate any adverse impact to:
    - (i) the health, safety and wellbeing of persons;
    - (ii) the safeguard of property;
    - (iii) the protection of consumers;
    - (iv) the economic, social or natural environment of the municipality;

- (v) the wellbeing and standards of local communities;
  - (g) taking such other actions or implementing such other measures as the *Head of Council* considers necessary in order to prevent, respond to or alleviate the effects of the *COVID-19 Emergency*.
- (12) An *Order* made under 4.0(7) of this By-Law:
  - (a) takes effect immediately upon its making; or
  - (b) if it so provides, may be retroactive to a date specified in the *Order*.
- (13) The *Head of Council* shall take steps to post the *Order*, excluding any personal information, on the City's website in order to bring it to the attention of affected persons pending publication.
- (14) An *Order* made under 4.0(7) of this By-Law may be general or specific in its application.
- (15) An *Order* under 4.0(7) of this By-Law shall be made in writing.
- (16) Every *Person* shall comply with an *Order* issued pursuant to 4.0(7) of this By-law.

## **5.0 Delegated Authorities to the City Manager**

- (1) During the *COVID-19 Emergency*, and subject to all applicable law, the *City Manager* shall have the authority to issue an *Order* to:
  - (a) designate any *City* service to be essential or non-essential;
  - (b) cancel, reduce or defer any fees, charges or other amounts owed to the *City* by *Persons* or businesses, subject to section 106 of the *Municipal Act*.

## **6.0 Delegated Authorities to the Director**

- (1) The *Director* may make an *Order* to:
  - (a) limit, regulate or prohibit access to any *Public Property*;
  - (b) limit regulate or prohibit any activity on or within any *Public Property*;
  - (c) take any actions reasonably necessary to carry out anything under 6.0(1)(a) or 6.0(1)(b).

- (2) The *Director* may, for purposes of promoting any requirements or compliance under this By-law or the *EMCPA* or for implementing, supporting or promoting any recommendations, directives or precautions from the *Chief Building Official*, *Fire Chief*, *Police Chief* and a *Public Health Officer* or any other relevant level of government, make an *Order* to place conditions or requirements on any place of business, including but not limited to hours of operation, social-distancing measures, and the posting of public service announcements.
- (3) Every *Person* shall comply with an *Order* issued pursuant to section 6.0(1) and 6.0(2) of this By-law.

## **7.0 Prohibitions**

- (1) No *Person* shall permit or allow gatherings of more than the number of *Individuals* prescribed by an *Emergency Order*, unless such *Individuals* are members of a single *Household*.
- (2) Every *Person* shall maintain a *Social Distance* from any other *Individual*, unless such *Individual* is a member of the same *Household*.
- (3) No *Guardian* shall permit or allow any *Individual* under the age of 16 years from not maintaining a *Social Distance* from any other *Individual*, unless such *Individual* is a member of the same *Household*.
- (4) No *Person* shall sell, offer for sale, display for the purpose of sale, advertise, or otherwise infer or suggest for the purpose of sale, by any means, an *Essential Item* for a price that grossly exceeds the price at which similar goods are available to like consumers.
- (5) No *Person*, unless acting as a *Lawful Business*, shall sell, offer for sale, display for the purpose of sale, advertise, or otherwise infer or suggest for the purpose of sale, by any means, any good or service.
- (6) No *Landlord* shall discontinue *Vital Services* to a *Tenant* without written permission from the *Director*.

## 8.0 Enforcement and Inspections

- (1) The provisions of this By-law may be enforced by an *Officer*.
- (2) Subject to section 8.0(3) below, every *Officer* shall have the right to enter lands to conduct an inspection to determine whether the provisions of this By-Law and any *Order(s)* issued hereunder are being complied with in accordance with the provisions of subsections 435 and 436 of the *Municipal Act*.
- (3) No *Person* exercising a power of entry on behalf of the City shall enter or remain in any room or place actually being used as a *Dwelling Unit* unless:
  - (a) the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under subsection 438 of the *Municipal Act*, a warrant issued under subsection 439 of the *Municipal Act* or a warrant under subsection 386.3 of the *Municipal Act*;
  - (b) an order issued under subsection 438 of the *Municipal Act* is obtained;
  - (c) a warrant issued under subsection 439 of the *Municipal Act* is obtained;
  - (d) a warrant issued under subsection 386.3 of the *Municipal Act* is obtained;
  - (e) the delay necessary to obtain an order under subsection 438 of the *Municipal Act*, to obtain a warrant under subsection 439 of the *Municipal Act*, or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any *Person*; or
  - (f) the *City* has given notice of its intention to enter to the occupier of the land as required under section 435(2) of the *Municipal Act* and the entry is authorized under subsections 79, 80 or 446 of the *Municipal Act*.
- (4) For the purposes of conducting an inspection pursuant to this By-law, an *Officer* may:
  - (a) require the production for inspection of documents or things relevant to the inspection;
  - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

- (c) require information from any person concerning a matter related to the inspection; and
  - (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- (5) No *Person* shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an *Officer* who is exercising a power or performing a duty under this By-law or the *EMCPA*.
- (6) A refusal of consent to enter or to remain in a room or place actually used as a *Dwelling Unit* does not constitute hindering or obstruction within the meaning of section 8.0(5) unless the *City* is acting under an order under subsection 438 of the *Municipal Act* or a warrant under subsection 439 of the *Municipal Act* or in the circumstances described in clause 437 (d) or (e) of the *Municipal Act*.

## 9.0 Enforcement Orders

- (1) An *Officer* may, as a result of a contravention of this By-law or an *Order* made under this By-law, issue an *Enforcement Order* that requires:
- (a) a *Person* to leave any *Public Property*, business or *Public Place*;
  - (b) a business to prohibit or not allow *Individuals* on its premises;
  - (c) a business to discontinue the sale or advertising of an *Essential Item*;
  - (d) a *Guardian* to maintain an *Individual* under the age of 16 at a distance of at least 2.0 metres from any other *Individual*, unless the parties reside in the same premises;
  - (e) an *Owner* to clear and properly dispose of any refuse or other things deemed by the *Director* to be a potential risk to public health or safety; or
  - (f) a *Landlord* to restore *Vital Services*.
- (2) An *Order* under this Part may be given verbally or in writing. Where an *Order* is given verbally, an order in writing shall follow within two (2) business days, however the *Order* shall take effect once it has been given verbally.

- (3) An *Order* in writing shall:
- (a) identify the location where the contravention occurred;
  - (b) state the reasonable particulars of the contravention;
  - (c) provide the date and time by which there must be compliance with the order; and
  - (d) be served personally to the *Person* to whom it is directed, or served by regular mail to the *Person*, which shall be deemed so served on the fifth day after mailing.
- (4) Every *Person* shall comply with an *Enforcement Order* issued pursuant to section 9.0 of this By-law.

## **10.0 Offences**

- (1) Any *Person* who contravenes or fails to comply with any provision of this By-law, including an *Order* or *Enforcement Order* made under this By-law, is guilty of an offence.
- (2) Where an *Individual* that contravenes or fails to comply with any provisions of this By-law is under the age of 16 years, the *Guardian* or *Guardians* of the *Individual* shall be deemed to have allowed the contravention and be guilty of the offence.
- (3) Where an *Individual* is older than 16 years of age, he or she shall be subject to Parts 7.0, 8.0, 9.0, 11.0 and 12.0 of this By-law as a *Person*.
- (4) An offence under this By-law may constitute a multiple offence as defined in section 429(5) of the *Municipal Act*.
- (5) An offence under this By-law that continues more than one may constitute a continuous offence and be punishable as such.

## **11.0 Administrative Monetary Penalties**

- (1) Instead of laying a charge under the *Provincial Offences Act* for a breach of the provisions set out in Schedule 1 of this By-law, an *Officer* may issue an administrative monetary penalty to the *Person* who has contravened this By-law.

- (2) If a *Person* is required to pay an administrative monetary penalty under Section 11.0(1), no charge shall be laid against that same *Person* for the same contravention.
- (3) The amount of the administrative monetary penalty for a breach under this By-law is \$750.00.
- (4) A *Person* who is issued an administrative monetary penalty shall be subject to the procedures provided for in the Administrative Monetary Penalties By-law, as amended or its successor by-law.
- (5) An administrative monetary penalty imposed on a *Person* that becomes a debt to the *City* under the Administrative Monetary Penalties By-law, as amended or its successor by-law, may be added to the municipal tax roll and collected in the same manner as municipal taxes.

## **12.0 Penalties**

- (1) Every *Person* who contravenes any provision of this By-law, including failing to comply with an *Order* made under this By-law, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act* and the *Municipal Act*, as set out below:
  - (a) the minimum fine for an offence is \$500 and the maximum fine for an offence is \$100,000;
  - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500 and the maximum fine shall not exceed \$10,000 and the total of all daily fines for the offence is not limited to \$100,000; and
  - (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500 and the maximum fine shall not exceed \$10,000 and the total of all fines for each included offence is not limited to \$100,000.

- (2) If a *Person* is convicted of an offence under this By-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the *Person* convicted.
- (3) Where a *Person* fails to pay any part of a fine for a contravention of this By-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the *City* may give the *Person* a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than 21 days after the date of the notice.
- (4) If any part of a fine for a contravention of this By-law remains unpaid after the final date specified in the notice provided under 12.0(4), the outstanding fine is deemed to be unpaid taxes pursuant to section 351 of the *Municipal Act*.

### **13.0 Transition**

- (1) Notwithstanding the repeal of this Bylaw, any enforcement, legal or collection actions arising from this Bylaw while this Bylaw was in force shall survive its repeal. For greater clarity, the provisions authorizing any enforcement, legal or collection actions under this Bylaw shall survive its repeal.

### **14.0 Collection of Unpaid Penalties and Fines**

- (1) Where a fine is in default, the *City* may proceed with civil enforcement against the person upon whom the fine has been imposed, pursuant to the *Provincial Offences Act*.
- (2) The *City* may make a request to the treasurer of a local municipality to add any part of a fine that is in default to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine, and to collect it in the same manner as municipal taxes.

### **15.0 Conflict**

- (1) The specific provisions of this By-law that are in conflict with the following shall be of no force and effect to the extent of the conflict:



- (a) an order made under subsection 7.0.2(4) or 7.1(2) of the *EMCPA*; or
- (b) any statute, regulation, rule, order or instrument of the Province of Ontario or the Government of Canada.

## 16.0 Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of the Council of the *City* in enacting this By-law that the remainder of this By-law shall continue to be in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

## 17.0 Amendment of Other By-laws

- (1) Schedule 1 of the [Administrative Monetary Penalties By-law](#) is hereby amended by including this By-law as a Designated By-law.

## 18.0 Force and Effect

- (1) This By-law shall come into force and effect on the date enacted by Council and shall remain in force until 30 days after the *COVID-19 Emergency*, unless terminated earlier by the *Head of Council* under his or her delegated authority in 4.0(4).

Enacted by City of Vaughan Council this 8<sup>th</sup> day of April, 2020.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

Authorized by Item No. 1 of Report No. 1  
of the Special Committee of the Whole  
Adopted by Vaughan City Council on  
April 8, 2020

## Schedule 1

### Offences under the City's Administrative Monetary Penalties By-law

<b>Section</b>	<b>Offence</b>	<b>Penalty</b>
7.0(1)	Permit or allow a gathering of more than the number of Individuals prescribed	\$750
7.0(2)	Fail to maintain a social distance	\$750
7.0(3)	Permit an individual under the age of 16 to contravene social distance requirements	\$750
7.0(4)	Sell, offer for sale, or advertise an item deemed essential by a public health official (except items defined as "necessary goods" by an Emergency Order under the EMCPA)	\$750
7.0(5)	Sell goods or services, not a Lawful Business	\$750
7.0(6)	Discontinue vital services to a tenant	\$750
8.0(5)	Hinder or obstruct an officer in their attempt to enforce this By-law	\$750
10.0(1)	Fail to comply with an <i>Order or Enforcement Order</i> made under this By-law	\$750
10.0(2)	Allow an individual under 16 years of age to contravene a provision of an <i>Order or Enforcement</i> made under this By-law	\$750

## Special Committee of the Whole Report

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**DATE:** Wednesday, April 08, 2020

**WARD(S):** ALL

**TITLE: TEMPORARY RENT RELIEF FOR NOT-FOR-PROFIT CITY  
TENANTS**

**FROM:**

Nick Spensieri, Deputy City Manager, Infrastructure Development  
Michael Coroneos, Deputy City Manager, Corporate Services and Chief Financial Officer

**ACTION:** DECISION

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**Purpose**

To seek Council approval to defer collection of rent and any proportionate share of operating and maintenance costs (collectively “**Rent**”) for not-for-profit tenants and licensees (collectively “**Tenants**”) of City-owned properties for a period of three (3) months (April to June 2020).

**Report Highlights**

- All City facilities to remain closed until further notice for the safety of our residents and to help prevent the spread of COVID-19. The COVID-19 global pandemic has significantly impacted the Vaughan community, placing additional financial strains on not-for-profit organizations.
- The City currently has 45 Tenants, 16 of whom are not-for-profit organizations. Currently, the City collects approximately \$75,000.00 monthly from its Tenants in Rent, \$26,000.00 of which is paid by Tenants which are non-profit organizations.
- Staff recommend the deferral of three (3) months’ (April to June 2020) Rent for not-for-profit Tenants.

## **Recommendations**

1. That a By-law be enacted authorizing Staff to defer monthly Rent payments for not-for-profit Tenants within City-owned facilities for three (3) months (April to June 2020).

## **Background**

The City of Vaughan continues to implement precautionary measures to ensure public safety in response to COVID-19. Vaughan City Hall and all other City facilities have closed their doors to the public until further notice. These actions were taken by the City to break the chain of transmission of this global pandemic.

On Friday March 27, 2020, we advised our Tenants of the City closures, and we suggested our Tenants follow suit. This letter also provided notice to any organizations using City-owned facilities of the restrictions contained in the provincial emergency orders. We recognize the economic hardship that these closures have placed on our not-for-profit partners and as such Staff are recommending that we defer Rent payments for a period of three months to lessen that economic hardship.

## **Previous Reports/Authority**

N/A

## **Analysis and Options**

At present, the City has 45 Tenants, of which 16 are not-for-profit organizations.

Guided by Regulations 51/20 and 52/20 under the *Emergency Management and Civil Protection Act*, enacted March 18, 2020, that ordered all facilities providing indoor recreational programs to close and prohibit all organized public events of more than 50 people, we have encouraged Tenants of City facilities to follow the example of those locally, nationally and internationally, and refrain from being open to the public unless deemed an essential service by the Province of Ontario.

The City of Vaughan is committed to keeping citizens and businesses informed in its ongoing efforts to respond to the global COVID-19 pandemic. We recognize that these not-for-profit organizations provide a vital service to the community and as such, Staff recommend supporting them during this unprecedented crisis.

Should Council approve the recommendation to defer Rent, all not-for-profit Tenants will be notified directly via e-mail/letter of the Rent deferral offered by the City.

Should the closure persist beyond June, Staff will review options and report back to Council.

**Financial Impact**

The deferral of Rent will not have an impact on the City, except for a minor cash-flow variation. The City will endeavor to mitigate expenses where and if possible during this period.

**Broader Regional Impacts/Considerations**

N/A

**Conclusion**

Not-for-profit Tenants of City facilities have been impacted by the closures necessitated by COVID-19. Staff recommend the deferral of Rent for three months (April to June 2020) to lessen the economic hardship on those not-for-profit organizations.

Should the closure persist beyond June, Staff will review options and report back to Council.

**For more information**, please contact: Paul Salerno, Senior Manager of Real Estate

**Attachments**

N/A

**Prepared by**

Paul Salerno, Senior Manager of Real Estate, ext. 8473

Dino Macchiusi, Real Estate Appraiser/Negotiator, ext. 8489

Colin Lyon, Legal Counsel, ext. 8829



## Special Committee of the Whole Report

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**DATE:** Wednesday, April 08, 2020

**WARD(S):** ALL

**TITLE: ELECTRONIC MEETINGS FOR STATUTORY AND AD HOC COMMITTEES**

**FROM:**

Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

**ACTION:** DECISION

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**Purpose**

To seek Committee's approval for amendments to Procedure By-law 7-2011, as amended, to allow for electronic participation by Members of statutory, ad hoc and sub-committees, in response to Bill 187, *Municipal Emergency Act, 2020*, during the Novel Coronavirus (COVID-19) pandemic.

**Report Highlights**

- The 2019 Novel Coronavirus (COVID-19) pandemic may result in Members of statutory, ad hoc and sub-committees being unable to physically attend those meetings.
- The Province enacted Bill 187, *Municipal Emergency Act, 2020*, which permits meetings to be conducted via electronic means during an emergency.
- Electronic participation would allow Members of statutory, ad hoc and sub-committees to contribute to meetings during an emergency.

**Recommendations**

1. That the amendments to Procedure By-law 7-2011, substantially in the form listed in Attachment #1, to facilitate electronic participation in statutory, ad hoc and sub-committee meetings, in accordance with Bill 187, *Municipal Emergency Act, 2020*, be approved,
2. That the necessary amending by-law be enacted.

## **Background**

### **Declaration of Emergency**

On March 17, 2020, Mayor Bevilacqua declared a state of Local emergency in accordance with the *Emergency Management and Civil Protection Act, R.S.O. 1990, c E.9 s.4.(1)* (“EMCPA”) in response to the 2019 Novel Coronavirus (COVID-19) pandemic to support municipal response and continuity of critical services.

On March 17, 2020, due to the growing public health concerns surrounding the 2019 Novel Coronavirus (COVID-19), the Province declared a province-wide emergency under section 7.0.1 of the *Emergency Management and Civil Protection Act* (“EMCPA”). Since then, the Province has issued various orders that mandated the closure of all recreation facilities, public libraries, child-care centres, and bars and restaurants providing public accommodations in all municipalities across Ontario, and prohibited all organized events with attendance of more than 50 people, in an effort to contain the spread of COVID-19. Effective March 28, 2020, a new emergency order further prohibits organized public events and social gatherings of more than five people.

### **City of Vaughan Procedure By-law 7-2011, as amended**

The Procedure By-law establishes the principles and rules to be used for meetings of Council and its Committees. The Procedure By-law enhances stakeholder participation, community involvement and opportunities for valuable input from the public, other stakeholders and relevant experts on matters that come before Council. The amendments proposed in this report continue to build upon the governance model established by the Procedure By-law.

### **Previous Amendments to the Procedure By-law**

On March 17, 2020, Council approved amendments to Procedure By-law 7-2011, to facilitate electronic participation at Committee of the Whole and Council meetings on a trial basis. This was done as a proactive measure to allow electronic participation at Committee and Council meetings to the extent possible under the *Municipal Act*, at that time. Since then, Bill 187 has been enacted by the provincial government, which provides for greater extent of electronic participation than previously permitted.

On March 30, 2020, Council approved further amendments to the Procedure By-law to allow for electronic participation in Committee of the Whole and Council meetings for Council Members, in response to Bill 187, *Municipal Emergency Act, 2020*, during the Novel Coronavirus (COVID-19) pandemic. By-law 033-2020 was passed to make the appropriate amendments to Procedure By-law 7-2011.



## **Previous Reports/Authority**

[UPDATES TO PROCEDURE BY-LAW FOR ELECTRONIC MEETING](#)

[PARTICIPATION \(Special Committee of the Whole Report No.13, Item #4, Approved by Council on March 17, 2020\)](#)

[BILL 187, MUNICIPAL EMERGENCY ACT, 2020 AND UPDATES](#)

[TO THE PROCEDURE BY-LAW \(Special Committee of the Whole \(1\) Report No.14, Item #1, Approved by Council on March 30, 2020\)](#)

## **Analysis and Options**

### **What are Statutory, Ad Hoc and Sub- Committees?**

Procedure By-law 7-2011 permits Council to, at the beginning of each term of Council, make appointments to such advisory committees or other bodies that it is obliged by law to make. Council may also make appointments to ad hoc committees that it considers desirable for the effective governance of the City.

Statutory committees include the Committee of Adjustment, Heritage Vaughan and the Accessibility Advisory Committee. Ad hoc committees include all the various task forces, such as the Smart City Task Force.

### **What changes to Procedure By-law 7-2011 are being proposed?**

#### **When are Electronic Meetings permitted?**

Electronic Meetings will be permitted during any period of time when an emergency has been declared for all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, Chapter E. 9, as amended. In addition to Committee of the Whole and Council meetings, electronic meetings will be permitted for statutory, ad hoc and sub-committee meetings, if the recommendations of this report are approved.

#### **Quorum**

The Procedure By-law, upon amendment, will allow a Member participating electronically in a meeting to be counted in determining whether or not a quorum of Members is present at any time during the meeting (both open and closed sessions).

#### **Rights and Responsibilities of a Member**

A Member who participates electronically in a statutory, ad hoc or sub-committee meeting shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote.

### Meeting Chair

The Chair of a statutory, ad hoc or sub-committee meeting will be permitted to participate in a meeting electronically. This contrasts with the Chair of a Committee of the Whole or Council meeting, as those Chairs are required to be physically present at the meeting location (Council Chamber) in order to effectively guide the meeting.

Most Members of the statutory, ad hoc and sub-committees are local residents who volunteer their time and expertise to sit on these committees, therefore any measures that can be taken to encourage their participation should be considered.

### Roll Call

After calling the meeting to order, the Chair shall direct the City Clerk's staff member supporting the meeting to conduct a roll call to identify the Members who are participating electronically in the meeting, and to ensure that a quorum is present. Should a Member join the Electronic Meeting at any time during the meeting, they shall announce themselves to the Chair and City Clerk's staff. Also, should a Member need to leave the meeting, they will also announce this to the Chair and City Clerk's staff.

### Communications and Deputations

Written communications related to an item on an agenda, for an Electronic Meeting, shall be received in accordance with Section 2.1(9) Communications/Written Submissions (Agenda Item) of Procedure By-law 7-2011, as amended. Written communications should be submitted via email to [clerks@vaughan.ca](mailto:clerks@vaughan.ca).

Deputations by the public, for items listed on the meeting agenda, shall be permitted where and when practical. At the current time, in-person deputations are not practical due to restrictions of maximum gathering size, social distancing requirements and the closure of City Hall to the public. In these instances, written communications will be encouraged. Written communications will be distributed to all Members in the most practicable way possible, including before, during or after an Electronic Meeting. City staff are actively pursuing a solution that will allow public participation in meetings.

### Closed Meetings

Electronic participation in closed meetings is permitted by Bill 187, the *Municipal Emergency Act, 2020*. There are limited reasons as to when a statutory, ad hoc or sub-committee could move into a closed session. Should such an occasion arise, the rules outlined in the Procedure By-law for Committee of the Whole or Council closed session shall apply. This includes making a verbal declaration indicating that they will maintain the confidentiality of the meeting while participating in the Closed Session via electronic

participation. Members will be required to participate from a location that offers them privacy to ensure the confidentiality of the meeting.

### Definitions

The following definitions will be amended in Procedure By-law 7-2011. Proposed amendments are in ***bold italics*** or strikethrough:

ELECTRONIC PARTICIPATION - A ~~Council~~ Member who participates in a Committee, ~~or Council~~, ***or statutory, ad hoc or sub-committee*** meeting remotely via electronic means (e.g. video or audio teleconference), has the same rights and responsibilities as if he or she were in physical attendance, including the right to vote. They shall count towards a quorum of Members and shall be permitted to participate in any portion of a meeting which is open or closed to the public.

ELECTRONIC MEETING - A meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in-person attendance, allowing for Electronic Participation by ~~Council~~ Members.

### Interruptions to connection

Should a Member participating electronically in a meeting become disconnected during the meeting, efforts will be made by Staff, where possible, to reconnect with the Member. The Chair may decide on a short recess to determine whether or not the communication connection can be re-established, with no more than two attempts being made. Alternatively, the Chair may decide to continue the meeting and treat the interruption as if the Member who is physically present leaves the room.

### **Will Electronic Participation be permitted after the emergency?**

Electronic participation by committee Members will only be permitted during the declaration of an emergency. The success of electronic participation will be reviewed by Staff in a future report to Committee of the Whole. The report will assess the viability and appropriateness of allowing electronic participation, in accordance with the requirements of the *Municipal Act*, for regular statutory, ad hoc and sub-committee meetings.

### **Public Participation in Meetings**

Public participation is a key component to any meeting of Council or Committee. City staff are actively pursuing a solution that will allow active public participation in a Committee of the Whole, Council or statutory, ad hoc or sub-committee meeting. Once

a method of public participation is determined, it will be used for all the public meetings. In the meantime, written deputations will be encouraged.

### **Do Electronic Meetings Need to be Phased-in?**

Electronic Meetings for the statutory, ad hoc and sub-committees will need to be phased-in due to the considerable amount of resources required for training and testing prior to the meetings. The recent Committee of the Whole and Council meetings, conducted as Electronic Meetings, has demonstrated that Electronic Meetings can be successfully conducted. That success, however, was the result of a significant investment in training meeting participants and testing of equipment. To ensure successful meetings, the same amount of effort will need to be undertaking for every statutory, ad hoc and sub-committee.

The success of these meetings, by providing the necessary training and testing, will depend on a measured approach to holding those meetings. Staff will begin with the training and testing associated with the statutory committees. This includes the Committee of Adjustment, Heritage Vaughan and Accessibility Advisory Committee. Once those committees have been trained, staff will begin with the training and testing for the ad hoc committees, such as the task forces. Due to the number of the task forces, staff will identify the priority task forces, to ensure they return to operation as quickly as possible.

### **Financial Impact**

Immediate costs associated with implementing the technology to allow electronic participation will be within existing budgets.

### **Broader Regional Impacts/Considerations**

Not applicable.

### **Conclusion**

The proposed amendments to the City of Vaughan Procedure By-law 7-2011, as amended, will allow for electronic participation for the statutory, ad hoc and sub-committees, in response to Bill 187, *Municipal Emergency Act, 2020*, during the Novel Coronavirus (COVID-19) pandemic.

**For more information**, please contact: Todd Coles, City Clerk, x8281

## **Attachments**

1. Proposed Amendments to Procedure By-law 7-2011 to Implement Bill 187, the *Municipal Emergency Act, 2020* for Statutory, Ad Hoc and Sub-Committees.

## **Prepared by**

Todd Coles, City Clerk, x8281



**ATTACHMENT #1 –  
Proposed Amendments to Procedure By-law 7-2011 to  
Implement Bill 187, the *Municipal Emergency Act, 2020*  
for Statutory, Ad Hoc and Sub-Committees**

The following amendments to Procedure By-law 7-2011 are proposed to implement Bill 187, the *Municipal Emergency Act, 2020* for Statutory, Ad Hoc and Sub- Committees:

1. The following definitions will be amended:
  - a. **ELECTRONIC PARTICIPATION** - A ~~Council~~ Member who participates in a Committee, ~~or Council~~, **or statutory, ad hoc or sub-committee** meeting remotely via electronic means (e.g. video or audio teleconference), has the same rights and responsibilities as if he or she were in physical attendance, including the right to vote. They shall count towards a quorum of Members and shall be permitted to participate in any portion of a meeting which is open or closed to the public.
  - b. **ELECTRONIC MEETING** - A meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in-person attendance, allowing for Electronic Participation by ~~Council~~ Members.
2. Electronic Participation will be permitted for any Committee of the Whole, Council, statutory, ad hoc or sub-committee meeting.
3. The Chair of a statutory, ad hoc or sub-committee shall be permitted to participate electronically at a meeting.
4. The Member who wishes to participate in an Electronic Meeting through Electronic Participation shall provide the City Clerk or Secretary a minimum of 24 hours' notice, or as much time that is practically required to ensure appropriate preparations for an Electronic Meeting.
5. Interruptions in Communication – If there is an interruption in the communications link to any Member who is participating electronically in an Electronic Meeting, the Chair may:
  - a. decide on a short recess until it is determined whether or not the link can be re-established with no more than two (2) attempts; or

- b. continue the Electronic Meeting and treat the interruption in the same manner as if the Member who is physically present leaves the room.

6. Roll Call

- a. Immediately after calling the Meeting to order, the Chair shall direct the City Clerk, Secretary, or City Clerk's staff member to conduct a roll call to identify the Members participating in an Electronic Meeting and confirm that a quorum is present.
  - b. A Member who is not present during the roll call, and who subsequently joins the Electronic Meeting via Electronic Participation shall advise the Chair and City Clerk of his or her attendance at the Electronic Meeting.
  - c. A Member who is participating electronically in an Electronic Meeting who, for any reason or duration will no longer be electronically participating prior to adjournment, shall advise the Chair and City Clerk of his or her absence from the Electronic Meeting.
7. Written communications related to an item on an agenda, for an Electronic Meeting, shall be received in accordance with Section 2.1(9)  
COMMUNICATIONS/WRITTEN SUBMISSIONS (AGENDA ITEM).